

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

SUITE 600

1100 NEW YORK AVENUE, N.W.
WASHINGTON, D.C. 20005-3934

(202) 371-2600

FACSIMILE: (202) 371-2540; (202) 371-6566

ROBERT GREENE STERNE
EDWARD J. KESSLER
JORGE A. GOLDSTEIN
SAMUEL L. FOX
DAVID K.S. CORNWELL
ROBERT W. ESMOND
TRACY-GENE G. DURKIN
MICHELE A. CIMBALA
MICHAEL B. RAY
ROBERT E. SOKOHL
ERIC K. STEFFE
MICHAEL Q. LEE

JOHN M. COVERT*
LINDA E. ALCORN
RAZ E. FLESHNER
ROBERT C. MILLONIG
STEVEN R. LUDWIG
MICHAEL V. MESSINGER
JUDITH U. KIM
KEITH KIND
TIMOTHY J. SHEA, JR.
DONALD R. MCPHAIL
PATRICK E. GARRETT
BARBARA A. PARVIS
MICHAEL A. RAHMAN*

STEPHEN G. WHITESIDE*
NOEL B. WHITLEY*
JEFFREY T. HELVEY*
RICHARD A. DUNNING, JR.
KIMBERLIN L. MORLEY
RALPH P. ALBRECHT
HEIDI L. KRAUS*
JEFFREY R. KURIN*
CARL B. MASSEY, JR.*
RAYMOND MILLIEN*
PATRICK D. O'BRIEN*
BRIAN S. ROSENBLUM*

DONALD J. FEATHERSTONE**
LAWRENCE B. BUGAISKY**
KAREN R. MARKOWICZ**
GRANT E. REED**
VICTOR E. JOHNSON**
SERGE SIRA**

*BAR OTHER THAN D.C.

**REGISTERED PATENT AGENTS

WRITER'S DIRECT NUMBER:

INTERNET ADDRESS:

June 22, 1998



Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Divisional Utility Patent Application
Appl. No. 09/033,662; Filed: March 3, 1998
For: **Human Vascular Endothelial Growth Factor 3**
Inventors: Jing-Shan HU *et al.*
Our Ref: 1488.1040001/RCM/AJK

REC'D - 6/24/98 9:50 AM
GROUP 130
6/24/98 9:50 AM

Sir:

Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Information Disclosure Statement;
2. 21 pages of Form PTO-1449; and
3. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Assistant Commissioner for Patents
June 22, 1998
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency,
or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert C. Millonig
Attorney for Applicants
Registration No. 34,395

RCM/AJK/neh
Enclosures

P:\USERS\AKAMAGE\CASES\1488\104-1\051998tr1.ids
SKGF Rev. 1/27/98 dcwf

HB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HU *et al.*

Appl. No. 09/033,662

Filed: March 3, 1998

For: **Human Vascular Endothelial
Growth Factor 3**



Art Unit: 1646

Examiner: To be assigned

Atty. Docket: 1488.1040001/RCM/AJK

Information Disclosure Statement

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. Copies of the documents were cited by or submitted to the office in U.S. Application No. 08/469,641, filed June 6, 1995, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

GROUP 3
06/11/2014
PCT

Additionally, the documents include GenBank reports. The date of the GenBank report listed on the attached PTO-1449 is presently believed to be either the date the entry was first released or the date the entry was last modified.

The Examiner's attention is directed to co-pending U.S. Patent Application No. 08/469,641, filed June 6, 1995, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

Applicants also wish to bring to the attention of the Examiner that SEQ ID NO:1 and the corresponding clone of this application may be considered to be related to the following SEQ ID NOS, in the following co-pending applications:

SEQ ID NOS	U.S. Appl. No.	Filing Date
16222	08/196,363	February 15, 1994
5853	08/220,691	March 31, 1994
13026	08/276,163	July 15, 1994
11517	08/798,074	February 12, 1997
969 and 2393	08/803,609	February 21, 1997
4590	08/971,050	November 14, 1997
10628	08/971,197	November 14, 1997
1975	08/985,366	November 4, 1997

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

This Information Disclosure Statement is being filed within three months of the U.S. filing date or before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Robert C. Millonig
Attorney for Applicants
Registration No. 34,395

Date: 6/22/98

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934
(202) 371-2600